

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Oct 08, 2020**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Leroy Delbert White Case Number: 0980 1:16CR02052-RMP-1
Address of Offender: Washington 98903
Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, U. S. District Judge
Date of Original Sentence: January 12, 2017
Original Offense: Felon in Possession of Ammunition, 18 U.S.C. § 922(g)(1) and 924(a)(2)
Original Sentence: Prison - 33 months Type of Supervision: Supervised Release
(01/12/2017) TSR - 36 months
Revocation Sentence: Prison - 2 months
(July 24, 2020) TSR - 34 months
Asst. U.S. Attorney: Meghan McCalla Date Supervision Commenced: September 5, 2020
Defense Attorney: Alison Guernsey Date Supervision Expires: July 4, 2023

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p><u>Standard Condition #2:</u> After initially reporting to the probation office, you will receive instruction from the Court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.</p> <p><u>Supporting Evidence:</u> Mr. White is considered to be in violation of his supervised release conditions by failing to report to his supervising U.S. Probation Officer by telephone as directed on or before October 2, 2020.</p> <p>On September 11, 2020, Mr. White spoke with this officer upon his release from custody. Due to COVID-19, Mr. White reviewed and verbally acknowledged his judgment and sentence, which outlined the conditions of his term of supervised release.</p> <p>Mr. White was instructed to report telephonically to this officer weekly on Fridays, or as instructed.</p>

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On October 2, 2020, Mr. White failed to report to this officer as required. This officer attempted to contact Mr. White at his listed telephone number with no success. As of the date of this petition, no contact has been made with Mr. White and his current whereabouts is unknown.

2

Special Condition #3: You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the Court. You must contribute to the cost of treatment according to our ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: Mr. White is considered to be in violation of his supervised release conditions by failing to undergo a substance abuse evaluation on or before September 28, 2020.

On September 11, 2020, Mr. White spoke with this officer upon his release from custody. Due to COVID-19, Mr. White reviewed and verbally acknowledged his judgment and sentence, which outlined the conditions of his term of supervised release.

On September 14, 2020, Mr. White indicated that he reported to Merit Resource Services (Merit) to undergo an substance abuse evaluation. However, he was unable to complete an evaluation as he was too late for walk-in time slots. Mr. White stated he would ensure to complete the evaluation the following day. This officer instructed Mr. White to complete the evaluation on or before September 28, 2020, as 2 weeks would suffice.

On September 28, 2020, this officer was informed by Merit that Mr. White did not complete a substance abuse evaluation.

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Special Condition #4: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. White is considered to be in violation of his supervised release conditions by consuming a controlled substance, methamphetamine, on or about September 25, 2020.

On September 11, 2020, Mr. White spoke with this officer upon his release from custody. Due to COVID-19, Mr. White reviewed and verbally acknowledged his judgment and sentence, which outlined the conditions of his term of supervised release.

On September 25, 2020, Mr. White attempted to contact this officer and provided a voicemail. Mr. White stated that he reported to Merit for a random urinalysis testing (UA) and the results were positive. He stated to have used 2 days prior and thought he could pass the test. He stated he did not want to go on the run and requested treatment.

This officer was unable to contact Mr. White at his listed cellular telephone number as it was not taking calls.

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On September 28, 2020, this officer received a call from a UA technician at Merit. The technician stated Mr. White reported to their office on September 25, 2020, and provided a urine sample that was presumptive positive for amphetamine. However, the specimen was not sent to the laboratory for additional testing based on his admission of drug use 2 days prior.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 8, 2020

s/Arturo Santana

Arturo Santana

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

10/8/2020

Date